Former Mutual Life Vice-President Discharged—Four Out of Five Justices Say It Was Illeg al—Jerome to Appeal.

The conviction of Walter R. Gillette, formerly vice-president of the Mutual Life Insurance Company, was reversed yesterday by the Appellate Division of the Su-presse Court. The five Justices who heard the conviction was illegal and based on insufficient evidence, but four of them go further and hold that he should never have

been indicted at all. These four Justices, constituting a majority of the court, order the indictment quashed and the defendant discharged. Dr. Gillette was indicted for perjury in

having testified falsely before the Grand Jury on May 11, 1906, in a John Doe proceeding concerning his account with the Dobbs Ferry Bank that the money was his own, whereas the Grand Jury found it was really held by him as trustee for the Mutual Life and had come from that company's funds. He was tried before ice Dowling in October last in the Criminal Term of the Supreme Court, found guilty and sentenced to serve six months in the penitentiary. He got a certificate of reasonable doubt and was allowed to give bail pending the outcome of his appeal. Justices Ingraham, Houghton, Scott and McLaughlin concur in finding that Gillette was indicted illegally, that the indictment itself is fatally defective and that the judgment of conviction was unjust. Justice Laughlin agrees that the conviction was based on insufficient evidence, but dissents from the dismissal of the indictment and the discharge of Dr. Gillette. He holds that there should be a new trial.

Justice McLaughlin writes a lengthy opinion setting forth the views of the majority of the court and at its close he makes a statement which is close in line with the oft repeated assertions of District Attorney Jerome in reference to the insurance cases Justice McLaughlin says:

The insurance investigation developed life insurance companies, and it may be, and such companies are liable to, and should, be punished criminally for what they did, but when this is done it must be done according

to the law of the State. Ours is a government of law, and public clamor, no matter how loud or long continued, is not evidence, nor is it a justification for judicial action. It is a matter of the highest regard to the people of the State that persons who commit crimes should be , but no more so than that they should be punished in a legal way. If the constitutional and statutory provisions have to be violated in order to inflict the punish-ment, then it had better not be done, because do so would be nothing less than the act of the mob under the guise of law.

Justice McLaughlin, reviewing the circumstances under which Dr. Gillette gave the testimony before the Grand Jury on which he was indicted, points out that "the investigation which the Grand Jury had under consideration at the time the defendant is alleged to have committed perjury while estensibly directed against John Doe et al., was in fact one against the defendant himself and other officers of insurance com-

panies."
Dr. Gillette came as much within the scope of the investigation as if he had been designated by name, and therefore, Justice McLaughlin says, "it was a violation of his constitutional right to require him to attend before the Grand Jury and take an oath."
The Justice adds:

When he took the oath he thereupon became a witness, and the constitutional proany criminal case to be a witness against him-An indictment obtained against him in that way would be invalid, and he could not be convicted of perjury for the testimony he gave, inasmuch as the oath could not be legally administered to him. charge of perjury cannot be sustained unless it be first proved that the testimony was given in an action or proceeding where are ook an oath in one of the forms recognized

Further on Justice McLaughlin says:

A person against whom the inquiry of a Grand Jury is directed should not be required to attend before that body, much less b sworn by it, and if he is and an indictment be found, it should be set aside upon a motion, and if not, if the fact appears upon the trial it will invalidate a conviction if one be had. Here it sufficiently appears in this recordto say nothing of the appeal from the order denying a motion to set aside the indictment-

that the defendant a constitutional rights were violated when he was required to attend and testify before the Grand Jury.

Justice McLaughlin goes on to say that the demurrer to the indictment before the trial should have been sustained. "To constitute perjury," he adds, "the false testimony must be given concerning a material matter under investigation," and he concludes that the testimony on which Dr. Gillette was indicted was not material prevent in an investigation against Dr. except in an investigation against Dr. Gillette himself, in which case he should not have been compelled to give testimony under oath. Justice McLaughlin then says:

Finally, after a careful consideration of the record I am of the opinion that at the sion of the trial a verdict should have been directed for the defendant upon the und that the People had failed to prove that he committed perjury in testifying as he did. When the defendant's entire testimony is considered, it seems to me one cannot but be satisfied that he fully and frankly testified as to the fund in question and the source from which it came.

The account in the Dobbs Ferry Bank was his personal account. The answer to this juestion certainly was true. The relation of debtor and creditor existed between him and the bank. He was the only one who could draw the money out of the bank and the fact that it had been originally given to im to be used in the interest of the insurance company in no way changed the nature precisely the same. Moneys were given to him from time to time by the president of the company, at whose direction they were paid out. The amount, which varie hundred to several thousand dollars was kept in his safe until the bank accoun question was opened, when he deposited

Even if it be said that the answers were misleading, in that he did not at once fully explain as to the matter, it did no harm because immediately following such answers and before he left the witness stand ne told the whole truth with reference to the account, and the source from which the fund No one was misled, no one was deceived and no one was injured. There is by the jury that he "wilfully, knowingly and ssumed that the answers were false and made with the intention of misleading or deceiving, an indictment for perjury cannot be predicated thereon, inasmuch as imliately thereafter he fully explained the nature of the account and the source from

A judicial investigation or trial has for its sele object the ascertainment of the truth, that justice may be done. It holds out every ment to a witness to tell the truth by inflicting severe penalties upon those who do not. This inducement would be destroyed if a witness could not correct a false statent except by running a risk of being

indicted and convicted for perjury. Ex-Judge Edward W. Hatch argued the

GILLETTE'S CONVICTION UPSET

Appeal for Dr. Gillette. Assistant District Attorney Taylor opposed the appeal.

By dismissing the indictment against Gillette the Appellate Division gives District Attorney Jerome the right to appeal from its conviction. If only the conviction had been reversed the District Attorney Jerome the right to appeal from its conviction. If only the conviction had been reversed the District Attorney could not appeal. Mr. Jerome was at Lake-ville, Conn., yesterday, but it was said at his office that the Appellate Division's decision would be taken to the Court of Appeals. cision would be taken to the Court of Ap-

> HERRICK GOODS NOT "STOLEN." Judgment Employer Got Against Wife of

Under a decision rendered yesterday in the Appellate Division of the Supreme Court an attachment obtained by Joseph Jonasso against certain furniture and jewels in the possession of Mrs. Grace Merrick, Frederick J. Herrick, must be vacated. on of Mrs. Grace Herrick, wife of

Frederick J. Herrick was bookkeeper for Jonasson, who was in business at 43 East Eleventh street, and Jonasson accused him of embezzling \$18,000, funds of the firm. The bookkeeper fled to New Orleans but was traced and finally consented to extradition if he were allowed to plead guilty to stealing only \$900. Jonasson after much argument agreed to this and Herrick was brought back. He pleaded guilty and is

brought back. He pleaded guilty and is now serving sentence.

Jonasson then began a suit in the civil courts to recover from Herrick and his wife, Grace, the furniture, jewels and other accessories of their home. Jonasson alleged that all this property, valued by him at more than \$6,000, was bought by Herrick with the proceeds of his stealings from Jonasson and that therefore the property should be sold to offset Herrick's thefts. Mrs. Herrick asserted that the-property was hers absolutely and had not been bought with any of her husband's alleged stealings, but out of her own money. Jonasson, however, got an attachment. son, however, got an attachment.
In setting aside the attachment Justice Scott for the Appellate Division says that

there is nothing whatever to support the contention of Jonasson that his money went to buy the jewels and furniture now in Mrs. Herrick's possession and that there-fore the Court must assume her claim of wnership to be true.

BIG NEW HOSPITAL FALLING. Clay Under Foundation of \$500,000 Pittsburg Structure Slipping.

PITTSBURG, June 5.-While 100 workmen were trying this afternoon to put jacks under the walls of the new homosopathic hospital that cost \$500,000 the walls began to tremble and it seemed that the structure would topple over. The building, it is expected, will fall before morning.

The hospital is one of the finest in Pitts-

on Tuesday Pittsburg women gave a lawn fete for the benefit of the hospital and got \$30,000. That evening cracks were noticed in the walls, and it was realized that

noticed in the walls, and it was realized that the structure was doomed unless it could be jacked up. To-day the big building began to settle so rapidly that all hope of saving it had to be abandoned.

Architects say the foundation was laid on a structure of blue clay. The recent rains have caused springs to form which flooded the basement, and the clay was converted into a mass of mud as slippery as soap.

The contractors constructed the building according to specifications, it is said, and it is feared that the hospital will have to stand the half million dollar loss.

JURY MAKES A TRIP.

On Its Return From Scene of Alleged Crime Acquits the Prisoner.

A jury in General Sessions was unable to decide yesterday wether Mike Palovitz was guilty of attempted arson until it had looked over the premises. Palovitz was accused of attempting to fire the tenement at 101 Washington street because the janitress, 'Susie Schnable, wouldn't have anything to do with him. She was the principal witness against Palvoitz, her testibeing to the effect that she could see him from a window in her room. There was a conflict of testimony as to whether it was possible for Mrs. Schnable to see into e hall, where Palovitz was supposed to

the hall, where Palovitz was supposed to have started the fire.

After the jury had retired they communicated to Judge Rosalsky that they would like to look at the window. With the consent of the lawyers the jury was taken to the Washington street tenement. It took the jury about an hour after it returned to court to acquit Palovitz. Then It took the jury about an hoir after it re-turned to court to acquit Palovitz. Then several of the jurors told Palovitz that he had better go to work and behave himself, as he had a narrow escape.

BOYCOTT THE BOYCOTTERS. Sapanese in San Francisco Retaliate for Chinese Peaceful War.

SAN FRANCISCO, June 5 .- The local Japaese have decided to meet the Chinese boycott with retaliatory measures. Proclamations were posted about the Japanese quarter yesterday calling upon all loyal sons of the Island Empire to withdraw their patronage from the Chinese restaurants and gambling houses.

This is only a preliminary step, and it is the intention of the leaders in the movement

to extend the boycott to include every Chinese mercantile establishment in San

Bulletin.

FAST TRAIN OFF THE TRACK

NEW YORK BUSINESS MEN IN-JURED ON THE LACKAWANNA.

Cut Through Which the Train Was Runn Prevented It From Turning Over-A. H.

The fast suburban train on the Passaid and Delaware branch of the Lackawanna, which brings many New York busine and professional men from their Jersey country homes to their Manhattan offices jumped the track at 8:25 o'clock yesterday morning between Lyons and Millington, a

Charles Emmons, a brakeman, whose home is in Gladstone, was mortally hurt, and half a dozen others, including Frederick P. Olcott, former president of the Central Trust Company and the chairman of the board of trustees of that institution, were injured. The train was making perhaps thirty-five miles an hour when it struck a defective switch rail, but the steep walls of the cut through which it was running prevented the cars from overturning and acted as buffers in reducing the shock.

picking up passengers at Peapack, Far Hills and Bernardsville. Leaving Bernardsville the two club cars, two day coaches and combination baggage and smoker were well filled. Among the passengers were Adrian H. Joline, the lawyer, who is one of the receivers of the New York City Railway Company; Judge John F. Dillon, John H. Bensel, chairman of the Water Supply Board of New York; Thomas F. Ormiston, Percy R. Pyne, Grant B. Schley of Moore & Schley, Samuel S. Chikis and his brother William Chiks, C. Ledyard Blair, the banker; John H. Hulshizer, William Prout of Newark; William H. Page, Henry J. Hardenberg, president of the New Jersey Zinc Company; George B. Post, the architect; Charles W. Squibb, Frederick and D. W. Cromwell, George Balentine, a Newark marinfacturer; C. Blair Mitchell, George Gaston, Haley Fiske, Richard V. Lindabury and William R. Kearns of Newark. Ex-United States Senator John Dryden usually is a passenger on the train, but yesterday morning he wasn't aboard.

Between Bernardsville and Newark the train makes no stop and spins along ordinarily at from thirty-five to fifty miles an hour. Yesterday morning it was getting into its stride when the wheels came to trouble passing over a switch intersection just east of Lyons. Italian laborers have been constructing a switch which operates a spur track to the plant of the Morris County Rock Crushing Company, and it was supposed that their carelessness brought about the derailment.

The big passenger locomotive and tender shot over all right, but the wheels of the combination smoker left the track and the jerk broke the train in two, the locomotive and tender sliding ahead a few rods and then falling against the cut bank. The five coaches left the rails and bumped dong the ties for 300 feet or so leaning crazily against the walls of the cut.

Emmons, the brakeman, was standing in the even deep of the combination coach Between Bernardsville and Newark the

erazily against the walls of the cut.

Emmons, the brakeman, was standing in the open door of the combination coach and was flung out upon the stones and cinders when the bump came. His hip was splintered and he was injured so badly internally that the doctors said last night

Bernardsville, was cut and bruised and injured internally. Richard V. Lindabury was bruised about one leg. George Ballentine of Newark and Judge Dillon sus-

Olcott's automobile arrived and the injured man could be taken to his own home. The others were removed to their homes except Emmons, the brakeman, who was sent to the hospital at Hoboken. When

near the track. Dr. Knight of Bernards-ville and Dr. Meigh of Millington attended them. So many automobiles and vehicles came to the wreck from the little towns in

PENNSYLVANIA RAILROAD

BY PLAIN, VALLEY, AND MOUNTAIN TO

THE WEST.

among its other advantages, for its scenic beauty. Diversity in

scenery is essential to its attractiveness. From the levels of New

Jersey, through the highlands and valleys of Pennsylvania, over the

Alleghany Mountains, and across the wide plains of Indiana and

Illinois there is constant change revealing new scenes of activity,

opening up new vistas to please the eye and refresh the imagination.

scenic beauties of the Susquehanna Valley, and for over one hundred

miles the banks of the "blue Juniata," crossed and recrossed a

dozen times, afford a moving picture of shifting scenes as pleasing

as the land affords. The passage of the Alleghany Mountains,

around the famous Horseshoe Curve, is matchless in its wealth of

tones to the picture with the distinctive color of the West.

As the hills of Ohio sink into the plains of Indiana, there are

The nine hundred miles from the seaboard to the lakes, the one

Many of the fine trains of the Pennsylvania Railroad traverse

thousand miles to the central point of the Mississippi Valley harbor

no monotony, each of them discloses scenes of varied interest set

the most attractive portions of this region by daylight, and the pleasure of travel over the Standard Railroad of America, with all

the interior comforts of its trains, its splendid, stone-ballasted.

dustless roadbed and the invigorating mountain air, is more than

doubled in interest by the constantly changing panoramic effects.

mountain views, particularly at this season.

in an engaging environment.

The fat farmlands of eastern Pennsylvania give place to the

The Pennsylvania Railroad route to the West is celebrated.

Joline, Judge Dillon and John H. Ben-sei Hurt—Brakeman Mortally Injured.

few miles east of Bernardsville.

The train left Gladstone at 8 o'clock

ne could not recover. Mr. Olcott, the only occupant of the rear club car, who was seriously hurt, was thrown against a chair so hard that the bones of his left wrist was fractured. He was badly bruised about

he chest and abdomen. Frederick Schwerkardt, a butcher of tained slight injuries. A dozen others were uncomfortably shaken up. Two track walkers were struck by flying debris. Engineer Henry Drumpt and Conductor Charles Cordes were unburt.

On the Cordes were unnut.

Dr. F. C. Jones of Baskingridge, who was a passenger, looked after Mr. Olcott, who was suffering great pain, until Mr. Olcott's automobile arrived and the in-

the passengers learned his condition they made up a purse of \$320 for him.

The injured were cared for in a toolhouse the vicinity that everybody who was hurt had volunteer attendants and a ride to wherever they wanted to be taken.

A special train was made up and brought the passengers on to the ferry. The wrectied up the branch for about three hours.

Dr. F. L. Barnum Indicted. Dr. Frederick Lee Barnum of 89 Clark street, Brooklyn, was yesterday indicted for performing an illegal operation on Mrs. Louise Craig of Hawthorne avenue, Yonkers, at his office several months ago Dr. Stewart Jaffrey, who attended her, called the attention of District Attorney Clarke to the case and Dr. Barnum was arrested and held in \$1,500 bail to await the action of the Grand Jury. He was arraigned yesterday before Judge Dike in the County Court and renewed his bail.

MISS SUSAN WRIGHT'S WILL. Aged Teacher's \$10,000 Divided Amon

Twenty Friends—Leaves an Explanation.

The will of Miss Susan Wright, who spent nearly fifty years of her life of over 80 years as a school teacher and whose death occurred on May 10 at her home in Brooklyn,

was offered for probate yesterday.

Her only relatives are in England, but she

gnores them in her will, dividing her estate. valued at \$10,000, in twenty equal parts of \$500 among intimate friends and fellow teachers. In a letter which she asked should be filed with the will she explains the reason of the distribution of her savings. This is the letter:

As the law often steps in and decides against the wishes of the testator and in favor of would be claimants I make the following explanation which I trust will prevent all thwarting of the purposes and provisions contained in my will after my demise.

The first cause of the poverty of my parents was due to a lawsuit which my father had against his brother, John Wright, the brothers being in partnership. The suit, my father always avowed, was unjustly decided against him. The result of this decision so discouraged him and the subsequent consequences were so depressing and humiliating that he yielded and succumbed to drink. All know what that

In brief, my brave and high souled mother was absolutely impoverished. She resolutely determined to give me an education which should make me self-dependent and self-reliant. To accomplish this, in her ex-tremity and with her unpreparedness against the hardships of her life, she endured for me such mental and social sufferings as rarely fall to a human life of such exalted charac-ter as that of my mother. After long years of toil and without aid from any human quarter but our own patient efforts, great self-denial and by the narrowest economy, we managed to own our premises, 350 East Fifty-fifth street. Further details are unnecessary to testify to the fact that no person or person have the slightest claim upon any proper of which I die possessed, except such as have named in my will, and these are endeared to me by friendship and mutual re-

gard and affection.

My cousins of John Wright's family and all other relatives in Great Britain and elsewhere are total strangers to me. I do not know them personally or otherwise. To allow such utter strangers, through any legal technicalities and from any other real or assumed reasons to share in my hardly struggled for earn ngs, in opposition to my intentions, would be as cruel to my memory as unjust to the causes which conspired to make my own life and that of my beloved parents hard

LINCOLN TABLET ON A SHIP. G. A. R.'s Present to a Hamburg-American Liner Unveiled.

A bronze memorial tablet to Abraham Lincoln, presented to the Hamburg-American line steamship President Lincoln by the Grand Army of the Republic, was unveiled aboard the liner yesterday at her pier in Hoboken. The host was Julius P. Meyer, assistant

general manager of the line. Among the speakers were President Nicholas Murray Butler of Columbia University, Lieutenant-Commander W. S. Sims, who represented President Roosevelt; Capt. Hebbinghaus, naval attaché of the German Embassy at Weshington (Warren Washington; Charles Burrows and Warren Lee Goss of the G. A. R., Mrs. Kate E. Jones and Charles G. Burton, commander-in-chief

of the G. A. R.

The tablet is at the head of the main companionway of the upper promenade deck and upon it is engraved Lincoln's Gettysburg address. Dr. Butler said that the only order of poblity recognized in America order of nobility recognized in America was the Grand Army of the Republic and that the only orator of modern times was Abraham Lincoln, his title to that distinc-Abraham Lincoln, his title to that distinc-tion being his Gettysburg address. Capt. Hebbinghaus said he hoped the memorial would "for many years to come recall to innumerable children of both nations the memory of Abraham Lincoln, the strong hearted, great minded, simple mannered martyr, of the highest ideals mankind ever cherished."

Lieutenant-Commander Sims said the ship would doubtless carry the tablet until she was worn out and later the line would replace her with a finer and faster ship o the same name and that also would carry the immortal address and finally, perhaps, the "Hamburg-American flying machine the "Hamburg-American flying machine President Lincoln" would take the table

THE ROBBERS' CACHES.

Polleeman Surprised the Men at Work is

a Vacant Lot Burying Junk. Policeman John F. Haggerty of the bicycle squad was told by three women yesterday afternoon that some men were ourying something in a vacant lot behind a billboard at the corner of Broadway and 110th street. When the policeman put his eye to a knothole in the billboard he saw the eye to a knothole in the billioard he saw the men working at the earth behind a rock Haggerty charged into the vacant lot. Two of the men ran away, but he managed to catch a third one, who said his name was John Garland and that he lived somewas some caratin and that he lived somewhere on West Twenty-seventh street.

Garland's story was that he was out for a walk and thought he would see what the other two men behind the billboard were doing. In the West 100th street station he doing. In the West 100th street station he was locked up as a suspicious person.

Haggerty went back to dig around a bit. He uncovered three caches. The ne

he uncovered three caches. The net product was about \$100 worth of goods, from gold pencils to gold washed collar buttons and silver belt buckles. A gold pin in the semblance of a crest which Haggerty unearthed was marked "Guernsey, one double, 1877," which, all things considered did not give any definite cluster. sidered, did not give any definite clue to

its owner.

The police of the West 100th street station announced, according to old fashioned schedule, that they believed they had discovered the burying ground of a well organized band of robbers.

BALLOON TRIP FOR A CUP. It Was to Sail 100 Miles, but Landed After

Going Less Than 42 Miles. TROY, June 5 .- At noon to-day a balloon which was sailing in the air to win a \$100 cup offered by the North Adams, Mass. Herald for a flight from that place for a distance of 100 miles landed within two distance of 100 miles landed within two miles of this city. It is forty-two miles in an air line from North Adams to this city, so the cup was not won. The balloon was in charge of N. H. Arnold of North Adams as pilot, and he was accompanied by C. De Angeles Frue of New York, who it was said is connected with the Italian army and will sail from New York on Monday for Italy.

day for Italy.

Mr. Arnold said the balloon left North
Adams at 9:42 A. M. and landed at 12:30
P. M. He had what he declared is the greatest
danger of aerial travelling, shots from hunters. While passing over the town of Poestenkil, he said, four bullets went by the balloon and one was very close to the basket. The highest altitude attained was 4,200 feet. The lack of wind forced

GRAND JURY SEEKS REBATES. President of the Chesapeake and Ohio One

Out To-day

Not Since

Marie Bashkirtseff's Diary has so

Personal and Intimate an Individual Record of Experience and the Joy of Living Appeared

Julie's Diary

A Faithfully Kept Record Such as a Woman Confides Only to Her Inner Self or the Pages of Her Diary.

Cloth, Price \$1.50.

At All **Booksellers**

JOHN W. LUCE and COMPANY

Out

To-day

FOUND DEAD IN HIS CARRIAGE. Boston Business Man Expires While Being Driven to His Home.

Boston, June 5.-William A. Buckley, manager of the local office of the Provident Savings Life Assurance Society, expired in his carriage in East Boston this afternoon while being driven to his home in Winthrop by Herbert Bradshaw, his coachman.

by Herbert Bradshaw, his coachman.

Medical Examiner McGrath will perform an autopsy to-morrow. At the office of Mr. Buckley it was said this afternoon that he had died of apoplexy.

According to the coachman's story he had been with Mr. Buckley and several others at the Hotel Plaza for some time and about 2 o'clock Mr. Buckley complained of feeling ill. He desired to be driven to his home at Winthrop, and they started in his carriage. In Chelsea street, East Boston, Bradshaw says, he looked at Mr. Buckley and thought he seemed to be fainting. He drove up to the office of Dr. Edward F. O'Shea, who just then arrived in front of his house in an automobile.

"That man has been dead from five to fifteen minutes," said the physician after an examination.

J. H. WOODWARD APPOINTED Auditor and Assistant Actuary at Insur-

ance Department's Office in This City. ALBANY, June 5 .- Superintendent of Insurance Otto Kelsey to-day appointed Joseph H. Woodward as auditor and assistant actuary at the New York city office of the department. The position was created at the last session of the Legislature in connection with a new bureau of audit to examine and pass upon the annual financial statements by insurance corporations. The head of the bureau will have the necessary clerks to assist in the work, which will immediately be begun. In anticipation of special provision for a full audit of financial statements duplicate copies of such statements were at the request of the Insurance Department furnished by the companies when filling their reports as of December 31 last and are ready for examination.

Mr. Woodward has had large experience as chief examiner of all classes of insurance corporations and stands high as an actuary. actuary at the New York city office of the

actuary.
Prior to the Armstrong amendments to the insurance law such audit as was practicable with the limited force and facilities was done in the statistical bureau of the Insurance Department.

Senator Cordts Will Not Change His Vote KINGSTON, N. Y., June 5 .- When the attention of Senator John N. Cordts was called to-day to a statement in a New York newspaper this morning that he, among other Senators, was believed to be lukewarm on the anti-racing bill he said:
"Tell them that they don't know me.
Any man who will vote one way and then

change around and vote another deserver ference recently in Brooklyn with some of the party leaders, which probably gave rise to the rumor. No one even intimated to me such a thing as changing my vote."

Senator Taylor to Vote for Anti-Racetrack

Betting Bills.
MIDDLETOWN, N. Y., June 5.—Senator John C. R. Taylor of the Orange-Rockland district, who, it was reported, would not district, who, it was reported, would not be at Albany to vote on the anti-racetrack betting bills because of his marriage and subsequent trip to Europe, will be married at 3 P. M. on June 18. Invitations for the wedding of Senator Taylor to Miss Jeanette Beakes, daughter of Mr. and Mrs. James Alonzo Beakes of this city, were issued Tuesday. Senator Taylor has announced that he will be present at the meeting of the Legislature and vote for the anti-racetrack betting bills.

Divorce to Mrs. Benoni Lockwood, Jr. Justice Greenbaum in the Supreme Court signed a decree vesterday granting to Isa belle Lockwood, daughter of George T. Bonner of 18 East Seventy-fifth street, a divorce from Benoni Lockwood, Jr., son of the vice-president of the New York Board of Fire Underwriters. The Lockwoods have three children, who are given into the custody of Mrs. Lockwood with permission to Lockwood to see them at such times as may be agreed upon later. There is no alimony provision in the decree.

OBITUARY.

OBITUARY.

The Rev. James Patrick Corrigan, for the last sixteen years chaplain to the House of Divine Providence at Ridgewood, N. J., conducted by the Sisters of Charity, died there on June 2. The funeral will take place from there to-day. Father Corrigan was born at Franklin Furnace, N. J., in 1884, and studied at St. Charles's Seminary, in Maryland, and at Seton Hall, New Jersey. He was ordained in 1887 and was then appointed curate of St. John's in Paterson. Soon afterward he became deaf and was obliged for that reason to retire from the active work of a priest, and in 1892 was made resident chaplain to the House of Divine Providence, where he remained until his death. He organized and built the churches at Westwood and Park Ridge and an Italian church at Etna, N. J., and served them all, often preaching twice on Sunday.

Alexander Withelm Gottschalg, the noted organist and composer, is dead, at the age of \$3, in Weimar, where for so many years he was associated with Franz Liszt. He was best known as the editor of Liszt's works and published with him a collection of the finest selections of organ music. Gottschalg was a native of Weimar and studied at the Teachers Seminary there before he became associated with Liszt. He held positions of importance in various German cities and had been created court organist in various German States.

Eben Wright died early yesterday morning at his home, 10 West Fifty-third street. He

President of the Chesapeake and Ohio One of the Witnesses Called.

RICHMOND, Va., June 5.—George W. Stevens, president of the Chesapeake and Ohio Railway, and Hollie Gates, former member of the City Council, were the only witnesses called before the United States Grand Jury to-day in the investigation of alleged rebating on the part of the Chesapeake and Ohio.

Gates is the man who divulged the information to Interstate Commerce Commissioner Lane which made the present investigation possible. Gates was heard first and was recalled after the testimony of President Stevens remained in the jury room only half an hour.

It was said this afternoon that not more than half a dozen additional witnesses will be examined, in which event the jury will probably be ready to make a report early next week.

White Mountains

New Hampshire

What will you find there? The grand natural sanatorium of the East, and, set in the midst of its rugged,

inspiring scenery, hotels with metropolitan service and cuisine and a home-like air not found elsewhere, such as: The Wasshek & Cottages Jefferson, N. H. Capacity 800. Crawford House
Entrance Crawford Notch, N. M.
Capacity 350. Mount Pleasant House Bretten Woods, N. H. Capacity 275. aplewood Hotel

Bethlebem, N. H.
Capacity 400.

Capacity 400. The New Profile House

Within Twelve Hours of New York City On and after June 29th trains depart from Grend Central Station, New York, 8.40 A.M. and 9.00 P.M. daily, except Sunday. Through Parice, Sleeping and Dining Car Service.

A comfortable hour for departure and a comfortable hour for arrival.

TRAFFICKED IN BOUNTY LANDS. Six Pension Attorneys Disbarred From Practice by Secretary Garfield.

WASHINGTON, June 5 .- As the result of the recent disbarment from practice before the Department of the Interior by Secretary Garfield of six pension and patent attorneys, over 100,000 applications for pensions and patents made by persons in different parts of the United States have been indefinitely held up, and it may be necessary for the applicants to renew their applications.

On the ground that they were trafficking with their clients in bounty land claims, Secretary Garfield barred from practice before the Pension Bureau, the Patent Office and the General Land Office the firm of Milo B. Stevens & Co., Edgar T. Gaddis, Thomas R. Harney, Harvey Spalding, James H. Spalding and Edward W. Spalding,

Under the act of March 3, 1855, military bounty lands are allowed to certain pensioners and their heirs. Secretary Gasfield charges that the attorneys named would prosecute claims for these bounty lands on behalf of the pensioner or his heir or heirs and when the warrant was issued would open up negotiations to buy the warrant at a reduced price and sell it to them at a large profit. He assumed that this is not in the interest of the persons the law intended should receive the warrants and was inconsistent with the duties which the attorneys set out to perform for their clients. Secretary Garfield declined to allow the disbarred attorneys to transfer their cases to other attorneys, and it was then disclosed that the attorneys disbarred had an charges that the attorneys named would to other attorneys, and it was then dis-closed that the attorneys disbarred had an enormous number of pension, patent and land cases pending, the firm of Milo B. Stevens & Co., alone having in excess of 45,000. The attorneys have instituted mandamus proceedings to compel the Secretary to reinstate them and have engaged nine of Washington's leading lawyers to represent them in the proceedings. Both sides will take the cases to the court of last resort.

Washington Society Notes.

Washington, June 5 .-- Mrs. Richard Townsend and Miss Mathilde Townsend will close their house here June 15 and go to New York for a short visit before open ing the cottage at Bar Harbor which they have taken for the season.

The French Ambassador and Mme. Jus-

The French Ambassador and Mme. Jusserand entertained at breakfast to-day. Their guests included Señor Calvé of France, Dr. Harvey Wiley, Henry Gourd, president of the French Chamber of Commerce of New York, and Gaston Velton, commercial attaché of the French Embassy, who is stationed in New York.

Justice Harlan has gone to Detroit for a short visit before going to his summer home at Murray Bay, Canada, for the summer. Mrs. Harlan and her daughters will join Justice Harlan late this month.

The Assistant Secretary of the Navy and Mrs. Newberry, who took a party to Annapolis on the Dolphin to attend the ball at the Academy on Wednesday evening, have returned to their Washington home.

Recess Appointments of Ohio Postmasters. WASHINGTON, June 5.-The President to day announced several recess appointments of Ohio postmasters whose names were sent to the Senate last winter but were sent to the Senate last winter but whose confirmation was prevented by Senator Foraker. The ground of the Senator's opposition was that the nominees were identified with the Taft faction in Ohio and unfriendly to him. The recess appointments are as follows:

George W. White, Urichsville; David C. Mahon, Dennison; Henry S. Winsper, East Palestine; Charles L. Thompson, Georgetown; W. E. Halley, Greenville; John K. Niess, Maumee, and Lee G. Pennock, Urbana.

New Yorkers Get \$1,000,000 of Jersey City Bonds.

The Jersey City Board of Finance at its meeting yesterday awarded \$1,000,000 worth of \$\frac{4}{2}\$ per cent. thirty year gold refunding bonds to Kountze Bros. and N. W. Harris & Co., both of this city, whose joint bid of 103.14 for the entire issue was the highest received.

News of Plays and Players. The members of "The Follies of 1908" company, numbering 150, leave Jersey City this morning for Atlantic City, where the piece is to open at the Apollo Theatre Monday evening. Charies Frohman has engaged Miss Louise Dresser and Miss May Naudain for comedy rôles in "The Girls of Gottenburg."

Squash Court for Maxine Willett.

Plans have been filed with Building Superintendent Murphy for adding a sixth story to the residence at 8 East Eighty-



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first street, owned and occupied by Mrs. Maxine Elliott Goodwin, the actrees. The addition is to be fitted as a squash cour and will be built of iron frame filled with terra cotta blocks and finished with stucco work and lighted by an ornamental skylight.